

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

MARCAL FRACTION, :

Petitioner : CASE NO. 3:14-CR-305

v. : (JUDGE MANNION)

UNITED STATES OF AMERICA, :

Respondent :

ORDER

For the reasons set forth in the Memorandum of this date, **IT IS  
HEREBY ORDERED THAT:**

1. Petitioner Fraction's motion to re-open his habeas proceeding with respect to his §2255 motion, pursuant to Fed.R.Civ.P. 60(b), (**Doc. 590**), is **DISMISSED** for lack of jurisdiction.
2. No Certificate of Appealability will issue.

*s/ Malachy E. Mannion*  
**MALACHY E. MANNION**  
United States District Judge

**Dated: February 21, 2019**

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